

Senate Bill (SB) 1606

Sen. Judith Zaffirini



Guardianship Proceedings for People with Intellectual Disabilities

SB 1606 would update the process for applications to modify a ward's guardianship or to fully restore a ward's capacity, creating new requirements for instances where an intellectual disability is the basis of the ward's alleged incapacity. It would allow licensed psychologists, and not just licensed physicians, to conduct examinations for such proceedings. It would establish that, in guardianship proceedings where an intellectual disability is the basis of a ward's alleged incapacity, the physician or psychologist should have experience examining individuals with an intellectual disability.



Guardianship is a legal tool that removes the civil rights and privileges of a person by assigning control of their life to someone else.

The need for guardianship may come from a person's age, disability, or injury.

Texas courts are required to consider alternatives to guardianship, such as supported decision-making, before one is created.



In 2021, The Governor's Committee on People with Disabilities (GCPD) established a workgroup to look at the topic of guardianship proceedings.

They issued a set of recommendations to improve the process, some of which were the basis for SB 1606.



Supporters of the bill include: the Coalition of Texans with Disabilities, The Arc of Texas, Disability Rights Texas, Statutory Probate Courts of Texas, Texas Council of Community Centers, Texas Parent to Parent, and Texas Psychological Association.

"Guardianship is very serious business, and whenever we are considering removing someone's civil rights, we should absolutely ensure that the folks that are making those recommendations have the proper credentials to do so."

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